

CUSTOMER NUMBER 25268

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

<i>Application Number</i>	09/976,238
<i>Filing Date</i>	October 12, 2001
<i>First Named Inventor</i>	David A. Basiji et al.
<i>Group Art Unit</i>	1639
<i>Examiner Name</i>	My Chau T. Tran
<i>Attorney Docket No.</i>	BIOL0029

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on February 4, 2004.

(Any unentered amendment(s) referred to above will be entered).

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. Other _____

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other Petition to Revive Unintentionally Abandoned Application

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)

b. Other _____

3. Request for Extension of Time

Applicant respectfully requests that the shortened statutory period for response to the Final Office Action dated September 17, 2003, set to expire on the extended date (2 months) of February 17, 2004, be extended by one additional month to expire on March 17, 2004. The additional extension of time fee is enclosed herewith in the check noted below and referenced in the attached Petition to Revive.

4. Fees The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-1940.

- i. RCE fee required under 37 CFR § 1.17(e)
- ii. Extension of time fee (37 CFR §§ 1.136 and 1.17)
- iii. Any additional required fees
- iv. Other

b. Check No. 7348 in the amount of \$1315 is enclosed, which includes the \$385 small entity RCE filing fee, the 3rd month of extension of time additional fee of \$265, and the \$665 petition to revive fee.

c. Payment by credit card (Form PTO-2038 enclosed)

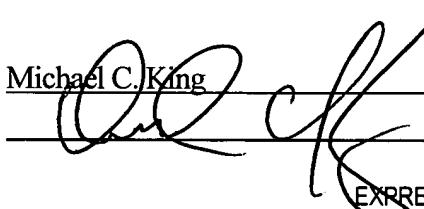
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Typed/Printed Name

Michael C. King

Registration Number: 44,832

Signature



Date: April 23, 2004

EXPRESS MAIL CERTIFICATE

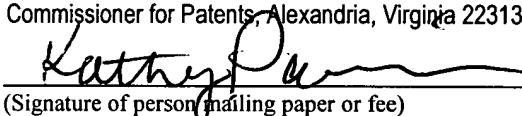
Express Mail Label No. EV302883426US

Date of Deposit: April 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Alexandria, Virginia 22313-1450.

Kathy Paulino

(Name of person mailing paper/fee)


(Signature of person mailing paper or fee)

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Director of the Patent and Trademark Office, Box RCE, Washington, DC 20231.